

Jason M. Schultz (SBN 212600)
jschultz@law.berkeley.edu
 Lila I. Bailey (SBN 238918)
lbailey@law.berkeley.edu
 SAMUELSON LAW, TECHNOLOGY
 & PUBLIC POLICY CLINIC
 UC Berkeley School of Law
 396 Simon Hall
 Berkeley, CA 94720-7200
 Telephone: (510) 642-0499
 Facsimile: (510) 643-4625

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Case No. 3:09-cv-05640-SI

**JOINT STIPULATION AND
[PROPOSED] ORDER TO CONTINUE
CASE MANAGEMENT
CONFERENCE**

Date: March 8, 2013
Time: 3:00 p.m.
Courtroom: 10, 19th Floor
Judge: Hon. Susan Illston

1 Plaintiff Electronic Frontier Foundation and Defendants Department of Defense, *et al.*
 2 hereby stipulate to and respectfully request that this Court continue the date of the Case
 3 Management Conference from March 8, 2013 to March 22, 2013, or to the Court's earliest
 4 convenience thereafter. The reason for this request is that Jason Schultz, counsel for Plaintiff, is on
 5 paternity leave and Jennifer Lynch, also counsel for Plaintiff, is traveling March 8 and 15, 2013.

6 The requested time modification should not adversely affect the Court's schedule because
 7 the parties are actively working to develop a schedule for resolving the case.

8
 9 DATED: February 22, 2013

Respectfully submitted,

10
 11 /s/ Jennifer Lynch
 ELECTRONIC FRONTIER FOUNDATION
 Jennifer Lynch, Esq.
 12 454 Shotwell Street
 San Francisco, CA 94110
 13 Telephone: (415) 436-9333
 Facsimile: (415) 436-9993
 14 E-mail: jlynch@eff.org

TONY WEST
 Assistant Attorney General
 JOSEPH P. RUSSONIELLO
 United States Attorney

JOHN TYLER
 Assistant Branch Director

15 Jason M. Schultz
 Lilia I. Bailey
 16 SAMUELSON LAW, TECHNOLOGY &
 PUBLIC POLICY CLINIC
 17 UC Berkeley School of Law
 18 396 Simon Hall
 Berkeley, CA 94720-7200
 19 Telephone: (510) 642-0499
 Facsimile: (510) 643-4625
 20 E-mail: jschultz@law.berkeley.edu

/s/ Kimberly L. Herb
 Kimberly L. Herb
 Trial Attorney
 United States Department of Justice
 Civil Division, Federal Programs Branch
 20 Massachusetts Ave. NW
 Washington, DC 20530
 Telephone: (202) 305-8356
 Facsimile: (202) 616-8470
 E-mail: Kimberly.L.Herb@usdoj.gov

21 Attorneys for Plaintiff

Attorneys for Defendants

22 * * * *


23
 24 **CIVIL LOCAL RULE 5-1 CERTIFICATION**

25 I attest that I have obtained Kimberly Herb's concurrence in the filing of this document.

26 /s/ Jennifer Lynch
 27 Jennifer Lynch

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

2
3 Dated: 2/26/13


Hon. Susan Ilston
United States District Judge